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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN K. STEWART,)	
)	
Plaintiff,)	
)	Civil No. 07-6282-TC
and)	
)	
COLUMBIA SEAPLANE PILOTS,)	
)	
Plaintiff-Intervenor)	
)	
v.)	
)	ORDER
UNITED STATES OF AMERICA,)	
acting by and through its)	
DEPARTMENT OF AGRICULTURE, by)	
and through the UNITED STATES)	
FOREST SERVICE,)	
)	
Defendant,)	
)	
and)	
)	
McKENZIE FLYFISHERS,)	
)	
Defendant-Intervenor)	
)	

Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on May 20, 2009, in the above entitled case. The

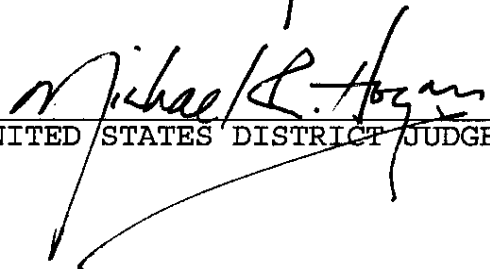
matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Defendants and defendant-intervenor have timely filed objections. I have, therefore, given de novo review of Magistrate Judge Coffin's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Coffin's Findings and Recommendation filed May 20, 2009, in its entirety. Plaintiff Stewart's motion for summary judgment on count 1 (APA claim) (#85) is allowed in part as set forth in the court's findings and recommendation. Plaintiff-intervenor Columbia Seaplanes Pilots Association's joinder (#90) of plaintiff's motion for summary judgment is allowed and denied in the same manner as plaintiff Stewart's motion. Defendant United States' cross-motion for summary judgment on count 1 is granted in part and denied in part as set forth in the court's findings and recommendation. Defendant-Intervenor McKenzie Flyfishers' motion for summary judgment (#113) on count 1 is denied. All claims, other than the APA claim, are dismissed as abandoned and all other motions are denied as moot.

IT IS SO ORDERED.

DATED this 13th day of July, 2009.


UNITED STATES DISTRICT JUDGE